MAGNUM WIRELESS, LLC

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

December 20, 2012

Subject: **WT Docket No. 11-49**

Ms. Dortch,

I write on behalf of my company Magnum Wireless, LLC. We operate Fixed Wireless Broadband networks in Northwest Indiana and currently serve approximately 2,000 (primarily rural) customers. While we use various frequencies to operate our network 900MHz serves a critical function within our operations, allowing us to reach certain customers that would otherwise be unreachable using existing equipment. We currently use both Canopy and Ubiquity equipment in the 900MHz frequency to serve a combined total of approximately 450 customers. That figure represents over 20% of our existing customer base. Most of these customers would be unreachable by our network using other unlicensed frequencies. The deficiency of other unlicensed frequencies relate primarily to poor signal propagation, failure to penetrate foliage, or other environmental interference.

In our operating environment, many of these customers lack cost-effective high-speed Internet alternatives. Our inability to reach them using 900MHz frequency would often result in those customers continuing to rely on dial-up Internet connections.

As a member of WISPA, we became familiar with the joint test report prepared by Progeny and WISPA for purposes of evaluating Multilateration Location and Monitoring Service (M-LMS). In reviewing the findings in that report we were deeply troubled by the interference levels reported. If such interference levels existed in our current network many of our 900MHz customers would fall below our standards for acceptable signal strength. In such Unacceptable Interference situations our team would not install a customer rather than deploy a low-throughput, unreliable connection. Because we typically deploy 900MHz equipment only when a customer is unreachable with other equipment, this would likely result in our company not installing the customer on our network.

If Progeny were to deploy its network (with characteristics as outlined in the joint test report) in our area and create such Unacceptable Levels of Interference our likely course of action would be to cease installing customers in the 900MHz frequency. We would

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also begin planning how to transition existing customers whose connections become unreliable or ineffective. Our decision would be primarily based on the uncertainty around the viability of customers using 900MHz equipment, the cost of transitioning existing customers to other (likely licensed and more costly) equipment, and the unlimited nature of future (potential) interference from Progeny operations. The likely outcome would be the loss of many existing customers and the failure to install many customers that would currently be viable 900MHz customers.

As an existing operator we have used nearly all of our available capital to create and expand a robust Internet service network. Our reputation in the market is based on establishing and maintaining reliable service for our customers at a good value-for-money. We view 900MHz equipment and use of the 900MHz frequency as a critical element of our ability to serve what we believe to be an underserved market. If Progeny were to deploy a network operation as outlined in the joint test report we would reassess our ability to serve a meaningful portion of our current market. A significant change in our ability to serve what is currently over 20% of our existing customer base would have a highly negative impact on future investment in that component of our network.

In light of the above, we kindly request that the FCC DENY APPROVAL of Progeny's nationwide operations. Such an action would allow our company to continue to serve existing customers and invest in the expansion of our operations. We thank you for our considered review of our submission.

Sincerely,

Adam Howell Barker
Head of Strategy and Corporate Development
Magnum Wireless, LLC